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	*NO COPY OF THIS TRA	ANSCRIPT MAY BE MADE PRIOR TO 7/11/20
1	UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW HAMPSHIRE	
2	FOR THE	DISTRICT OF NEW NAMPSHIRE
3	* * * * * * * * * * * *	
4	UNITED STATES OF AMERIC	* CA * *
5		* No. 1:18-cr-192-JL
6	V.	* December 11, 2019 * 11:30 a.m.
	IMRAN ALRAI,	*
7	Defe	* endant. *
8		*
9	* * * * * * * * * * * *	· * * * * * *
10	TRANSCRIPT OF BENCH TRIAL	
11		DAY EIGHT
12	BEFORE THE	HONORABLE JOSEPH N. LAPLANTE
13	APPEARANCES:	
14		
15	For the Government:	·
16		Matthew Hunter, AUSA Cam T. Le, AUSA
17		United States Attorney's Office
18	For the Defendant:	Timothy M. Harrington, Esq.
19		Timothy C. Ayer, Esq. Shaheen & Gordon PA
20		
21	Court Reporter:	Brenda K. Hancock, RMR, CRR
	<u></u> .	Official Court Reporter
22		United States District Court 55 Pleasant Street
23		Concord, NH 03301 (603) 225-1454
24		(555) == 5 = 5 = 5
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1 PROCEEDINGS THE CLERK: The Court has before it for consideration 2 this morning Day Eight of the bench trial in Criminal Case 3 18-cr-192-01-JL, United States of America versus 4 5 Imran Alrai. 6 THE COURT: All right. AUSA Le, let's proceed. MS. LE: Good morning, your Honor. Your Honor, before 7 we recall the witness, the parties have a stipulation about the 8 FDIC insured status of Citizens Bank. 9 10 THE COURT: FDIC, you mean? 11 MS. LE: Yes. The bank is FDIC insured, your Honor. 12 THE COURT: Yup. So, you're stipulating that the bank 13 is FDIC insured? 14 MR. HARRINGTON: That's correct, your Honor. 15 THE COURT: Understood. 16 MS. LE: Thank you, your Honor. We call Darlene Cacace to the stand, please. 17 18 (Continued testimony of Darlene Cacace transcribed and 19 filed under separate cover) MR. HUNTER: Thank you. The government calls Greg 20 Naviloff. 21 22 MS. LE: Your Honor, may I clear the exhibits from the 23 witness stand? 24 THE COURT: You may. 25 (Testimony of Greg Naviloff transcribed and filed

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      under separate cover)
               MR. DAVIS: The government calls Todd Donnelly.
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               THE COURT: Your last witness, right?
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               MR. DAVIS: Yes, I think, Judge.
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               THE CLERK: Please raise your right hand.
 6
               TODD DONNELLY, having been duly sworn by the Clerk,
      was examined and testified as follows:
 7
               THE CLERK: For the record, please state your full
 8
 9
      name and spell your last name.
10
               THE WITNESS: Todd Donnelly, D-o-n-n-e-l-l-y.
11
               THE CLERK: Thank you. Please be seated.
               THE COURT: Mr. Davis, one of the questions I asked
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13
      you yesterday was whether after Dr. Chaudhary's testimony was
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      there going to be some sort of 613(b) extrinsic evidence.
15
               MR. DAVIS: Yes.
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               THE COURT: Is this the witness that that is coming
17
      through?
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               MR. DAVIS: Yes.
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               THE COURT: I see.
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               MR. DAVIS: It's just six areas, but it will be fairly
21
      specific, your Honor.
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               THE COURT: I'm not asking you to truncate that in any
23
      way. I think that's important evidence.
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               MR. DAVIS: Thank you.
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DIRECT EXAMINATION

BY MR. DAVIS:

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- Q. How are you employed, sir?
- MR. AYER: Before we start, our expert is still in the room. I just wanted to make sure we didn't start taking testimony with the witness in here.
- 7 MR. HARRINGTON: Sorry about that, Judge.
- 8 THE COURT: No need to apologize.
- 9 A. I'm employed as a Special Agent with HSI, which is
 10 Homeland Security Investigations within the U.S. Department of
 11 Homeland Security.
- Q. And would you summarize, please, your law enforcement
- 13 experience briefly?
- years. I began -- my first nine years were spent working as a

Sure. I've been working in law enforcement for over 25

- patrolman and later as a detective. In 2003 I was hired with
- 17 the United States Customs Service as a Special Agent. This is
- also the same approximate time frame in which the U.S.
- 19 Department of Homeland Security was formed.
- During that time one of the things that occurred was
- 21 that two legacy U.S. federal law enforcement agencies were
- 22 merged, one of them being the United States Customs Service,
- 23 the other being the former INS, Immigration and Naturalization
- 24 Service, to form the investigative arm of DHS. So, that was in
- 25 2003. And for the last 16 years I've been working as a Special

- 1 | Agent for what is now HSI, Homeland Security Investigations.
- 2 Q. And are you one of the case agents for the Imran Alrai
- 3 investigation?
- 4 A. Yes, I am.
- 5 Q. And have you been working on that investigation since late
- 6 2017?
- 7 A. Yes, I have.
- 8 Q. And were you the affiant in many of the search and seizure
- 9 warrants filed in this case?
- 10 A. Yes, sir.
- 11 Q. The Court asked yesterday about a declaration of trust
- 12 relating to 31 Lowell Road in Windham, New Hampshire. Are you
- 13 | familiar with that trust?
- 14 A. Yes, I am.
- 15 O. And was that one of the documents seized in the search at
- 16 the defendant's house at Corliss Road in Windham?
- 17 A. Yes.
- 18 Q. Showing you now Exhibit 886, which I think is not in, do
- 19 you recognize that item?
- 20 A. Yes, I do.
- 21 Q. And is that a copy of the trust, an executed copy that was
- 22 | found in the search of the house on June 12th of 2018?
- 23 A. Yes.
- MR. DAVIS: Your Honor, I move to introduce 886 in
- 25 evidence and strike the ID.

- 1 MR. HARRINGTON: No objection, your Honor.
- THE COURT: Admitted.
- 3 (Government's Exhibit No. 886 received into evidence)
- 4 Q. And, just briefly, can we look at the signature page of
- 5 that document. And does this page at page 9, executed November
- 6 27, 2013, show the defendant and his wife as both grantor and
- 7 trustee of the trust?
- 8 A. Yes, it does.
- 9 Q. And moving on to -- and continuing, please, is there an
- 10 Appointment of Trustee also signed by the defendant and his
- 11 wife?
- 12 A. Yes.
- 13 | Q. And does that appoint Mr. Munawar Chaudhary, the
- 14 defendant's father?
- 15 A. Yes, it does.
- 16 Q. And then the last signed page, I think. And does this
- 17 | show that the defendant and his wife are beneficiaries of this
- 18 trust?
- 19 A. Yes.
- 20 | Q. Okay. Now, I want to ask you a little bit about June
- 21 | 12th, 2018. Were you at the house at 9 Corliss Road in Windham
- 22 | that morning to execute search warrants?
- 23 A. I was.
- 24 Q. And was one of your assignments to interview Mr. Munawar
- 25 | Chaudhary, who lived there?

- 1 A. Yes.
- 2 Q. And what time did you go in, approximately, that morning?
- 3 A. I think it was around maybe 10:00 in the morning. I don't
- 4 remember exactly, but it was late morning.
- 5 Q. How were you dressed?
- 6 A. Business casual.
- 7 Q. And did you have a visible firearm?
- 8 A. No.
- 9 Q. Did you have visible handcuffs?
- 10 A. No.
- 11 Q. Okay. And did you actually encounter Mr. Chaudhary?
- 12 A. Yes, I did.
- 13 Q. And describe that encounter, please.
- 14 A. So, we encountered Mr. Chaudhary out in the backyard.
- 15 There was some landscaping being done. Myself and Agent
- 16 | Blackwood with the FBI approached him and explained the
- 17 | circumstances of our being there. I provided him with a copy
- 18 of the search warrant for him to examine and advised him that I
- 19 | had a few questions and wanted to know if he would be willing
- 20 to speak with us further.
- 21 Q. All right. And who were you working with at that time,
- 22 | which agent?
- 23 A. Special Agent Kim Blackwood.
- 24 Q. And is she an FBI Special Agent?
- 25 A. Yes, she is.

- 1 Q. And was she dressed similarly to you?
- 2 A. Yes.
- 3 Q. And, again, no firearm or handcuffs?
- 4 A. That's correct.
- 5 Q. How did Mr. Chaudhary respond when you approached him?
- A. He was very cooperative and accommodating. We went inside
- 7 and went into a living room that was unoccupied and sat down.
- 8 Agent Blackwood and I were on one sofa, he was on another sofa,
- 9 and we proceeded to talk to him. Agent Blackwood took notes
- 10 and wrote a report afterwards.
- 11 Q. And did you explain to him why you were there?
- 12 A. I did. I didn't get into a lot of details, but we told
- 13 him that we were there to conduct a search warrant.
- 14 Q. And did you threaten him in any way?
- 15 A. No.
- 16 Q. Did you trick him in some way?
- 17 | A. No, sir.
- 18 Q. During the interview was there any change in his level of
- 19 | cooperativeness?
- 20 A. No.
- 21 Q. And at any point did he say he couldn't understand you and
- 22 needed a translator?
- 23 A. No.
- Q. Did you note that he had a significant accent?
- 25 A. Yes.

- 1 Q. Did it make it hard for you to understand him?
- 2 A. At times.
- 3 Q. But were you able to work through that?
- 4 A. Yes.
- 5 Q. All right. And how long did the interview last?
- 6 A. I want to say it was probably over an hour and less than
- 7 two.
- 8 Q. All right. Now, directing your attention to February 7th
- 9 of 2019, so whatever that is, eight months later, did you again
- 10 interview Mr. Chaudhary?
- 11 A. Yes.
- 12 Q. And where did that happen?
- 13 A. That happened at the U.S. Attorney's Office.
- 14 Q. Here in Concord, New Hampshire?
- 15 A. Correct.
- 16 Q. And was that in a conference room?
- 17 A. Yes.
- 18 Q. And who was present for that interview?
- 19 A. There was Special Agent Jill Laroe, Forensic Accountant
- 20 Darlene Cacace, yourself and myself.
- 21 Q. And Mr. Chaudhary, of course?
- 22 A. Mr. Chaudhary and his attorney, Mr. Nichols.
- 23 Q. All right. And how long did that interview occur?
- 24 A. That was a lengthy interview. I want to say it was at
- 25 | least three hours, maybe longer.

- 1 Q. And was that pursuant to an agreement?
- 2 A. Yes. There was a proffer letter that was signed prior to
- 3 the start of the interview.
- 4 Q. And was Mr. Chaudhary's attorney present throughout?
- 5 A. Yes, he was.
- 6 Q. And how was Mr. Chaudhary's mood and manner in that
- 7 interview?
- 8 A. It was fine. Once again, it was cooperative. There were
- 9 no problems, no conflicts or -- it was fine. There was no
- 10 issues.
- 11 Q. Okay. And did an agent take notes on that occasion?
- 12 A. Yes. Special Agent Laroe took notes.
- 13 | Q. All right. And did she write a detailed report about the
- 14 interview?
- 15 A. Yes, she did.
- 16 Q. And did that go on for multiple pages?
- 17 A. Yes, it did.
- 18 Q. All right. Now, I want to ask you about just a few areas
- 19 in the interviews. The first area is the registration of
- 20 DigitalNet, the corporate formation documents to register. Did
- 21 you talk to Mr. Chaudhary about that subject when you
- 22 interviewed him?
- 23 A. Yes.
- Q. And did you talk to him on June 12th of 2018?
- 25 A. Yes.

- 1 Q. And did you also talk to him about that on February 7th of
- 2 2019?
- 3 A. I did.
- 4 Q. And on June 12th did Mr. Chaudhary tell you that
- 5 Mr. Alrai, his son, did all of the work and filled out all the
- 6 paperwork to create DigitalNet?
- 7 A. Yes.
- 8 Q. And did Mr. Chaudhary also tell you June 12th that it was
- 9 his son's idea to register in Delaware?
- 10 A. Yes.
- 11 Q. And did he also tell you that he did not know in whose
- 12 | name DigitalNet was registered in Delaware?
- 13 A. Yes.
- 14 Q. And then on February 7th, the later interview, did he tell
- 15 you that he does not recall signing any paperwork for the LLC
- and did not know why it was set up in Delaware instead of New
- 17 | Hampshire?
- 18 A. Yes. Both times he was really oblivious as to the
- 19 | formation of the company overall. He said he had nothing to do
- 20 | with it. That was his son's doing.
- 21 Q. All right. Now, did you also talk to him on February 7th
- 22 | about the email exchange in July of 2016 between someone
- 23 | signing himself as Mac and Jack Rotondi at United Way?
- 24 A. Yes.
- 25 Q. And showing you Exhibit 118 did you actually show him this

- 1 | series of emails on that occasion?
- 2 A. Yes, I did.
- 3 Q. All right. And this is the email, if you recall, that
- 4 contains the attachment that has the customer list and other
- 5 information about DigitalNet?
- 6 A. Yes.
- 7 Q. And did he tell you on that occasion that he did not write
- 8 the email chain between Mac and Jack Rotondi and does not know
- 9 anything about it?
- 10 A. Yes. He was very clear about it.
- 11 Q. All right. Now, did you also ask him about the
- 12 info@digitalnet.us account?
- 13 A. Yes.
- 14 | Q. And that's the account that we've seen numerous emails to
- 15 United Way that are signed by Mohammad, correct?
- 16 A. Correct.
- 17 Q. And on February 7th did Mr. Chaudhary tell you that he
- 18 never sent or received emails using the info@digitalnet email
- 19 | account?
- 20 A. Yes.
- 21 Q. All right. Now, did you also talk to Mr. Chaudhary about
- 22 the meeting at United Way in approximately March of 2013, back
- 23 when DigitalNet was coming onboard --
- 24 A. Yes.
- 25 | Q. -- that happened in Pat Latimore's office?

A. Yes.

- 2 Q. All right. What did he say about that meeting?
- 3 A. Well, we asked him if he had attended a meeting at the
- 4 United Way, and he acknowledged that he had. He said it was
- 5 prior to the signing of the contracts; that he wasn't sure
- 6 where the meeting took place, but it could have been at the
- 7 United Way in Boston, so he was a little unsure on the
- 8 | location. He said that the meeting occurred with one man and
- 9 that Mr. Alrai was not present during the meeting.
- 10 Q. All right. And then did he give you, again, still on June
- 11 | 12th of 2018, did he give you more information about that same
- 12 meeting?
- 13 A. Yes. So, we continued to talk, and really just a moment
- 14 | later he paused, and he said that he wanted to go off the
- 15 record, and he further stated that he wanted to strike his last
- 16 | statement, and he wanted to change what he said. It was very
- 17 | strange. I've never had this happen to me in an interview
- 18 before. It was almost like he wanted to erase -- and he wanted
- 19 us almost to acknowledge him and like we were not going to
- 20 | include that last part in our report, and there were several
- 21 statements like that made by him. He said he made a mistake,
- 22 | he didn't want to get in trouble. He said he never had a
- 23 | meeting. He didn't know why he said it. He said it would be
- 24 cleaner that way, which was kind of confusing. So, we
- 25 | continued to talk, and, obviously, we weren't going to remove

- 1 it from our report.
- 2 Q. And so, you recorded both statements in the report, right?
- 3 A. Yes.
- 4 Q. And so, in essence, he told you at first that he did go to
- 5 the meeting at United Way, although with a man?
- 6 A. Right.
- 7 Q. And then, second, that he never went to that meeting,
- 8 right?
- 9 A. Yeah. He said it was foolish of him to say that, and he
- 10 | didn't know why he was making that comment.
- 11 Q. All right. Now, did you also talk to him on February 7th
- 12 about the wired funds that were sent to Pakistan and the amount
- 13 of those wires?
- 14 A. Yes.
- 15 | Q. And did he tell you again on February 7th of 2019 that he
- 16 | did not provide the amount to be sent to the bank employees,
- 17 and that Imran Alrai told them how much to wire? Is that what
- 18 he said?
- 19 A. Yes. We were talking about the emails with Pentucket, and
- 20 he said that he did not -- the decision about what amount to
- 21 put in the wires was not his. That was made by his son.
- 22 | Q. And, lastly, did you talk to him on February 7th about the
- 23 name Mohammad Hassan?
- 24 A. Yes.
- 25 | Q. And did you actually show him a document that had been

- purported to be signed by Mohammad Hassan?
- 2 A. I did.

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- 3 Q. And did he say to you then, again, February 7th, that he
- 4 does not know who Mohammad Hassan is and does not recognize his
- 5 signature?
- 6 A. That's correct.
- 7 Q. All right.

THE COURT: We need to suspend for the day. The reporter has been going for over an hour and a half, and I have a couple of questions, anyway, so I am going to have you step down. We'll resume tomorrow at the usual time.

(Witness stepped down)

THE COURT: Can you refresh my memory, both sides? I thought there was testimony from someone at the United Way about meeting with Mac Chaudhary.

MR. DAVIS: Yes. Pat Latimore, your Honor, testified that she met with a man in her office, it was about a 30-minute meeting, who was represented to her as Mac Chaudhary, who went by that name and who was brought in her office by the defendant. So, she had a 30-minute conversation with someone she believed to be named Mac Chaudhary. And we don't dispute that. We think that happened.

THE COURT: Okay.

MR. DAVIS: But Mr. Chaudhary says it wasn't him.

THE COURT: Same meeting, though? That's my question.

Is it possible that there's a reference -- that this is a 1 discussion about a different meeting? 2 MR. DAVIS: I think it's possible, your Honor, but 3 Ms. Latimore -- and I've talked to her more than once about 4 5 this -- Ms. Latimore remembers a single meeting at United Way 6 around the time of the first big contract with DigitalNet with the person represented to be the principal of DigitalNet. 7 THE COURT: And I don't remember her being, at least 8 9 during the trial, asked to describe or identify a photo of Mac 10 Chaudhary. Has she ever done that? Well, it's not evidence if 11 she's done it or not. 12 MR. DAVIS: She was asked to describe, your Honor, and 13 we can summarize that. 14 THE COURT: I can look it up. 15 MR. DAVIS: I would say lastly, and I guess this is 16 just an opinion, not evidence, but --17 THE COURT: You'll be arguing it anyway, so I'll hear 18 it. 19 MR. DAVIS: It seems to me unlikely that it actually 20 was Mr. Chaudhary, given his accent and given his lack of IT 21 knowledge. That is, DigitalNet would not have sent someone in there who couldn't talk IT at least somewhat. 22 23 THE COURT: That's a fair point.

Mr. Harrington, regarding this line of questioning, is there anything you want to say about it? MR. HARRINGTON: The only thing I would say is, if you recall, and I'm sure you'll look it up, I think Ms. Latimore's testimony is that she's not an IT person and they didn't speak relative to IT matters. It was more of a brief meeting. And so, as far as DigitalNet sending somebody in with IT knowledge or something like that, I don't think that was the nature of the meeting.

THE COURT: Is there any inference you want me to draw about whether that meeting, the meeting that Ms. Latimore described, was with Mac Chaudhary or not, or do you just have no position on it one way or the other?

MR. HARRINGTON: I think it's one of those things,

Judge, is that there are -- it could go either way, to be frank
with you, because I think if you listen to the description that

Ms. Latimore --

THE COURT: But will you be arguing for me to look at it one way or the other? That's my question.

MR. HARRINGTON: I need to think on it a little bit more. If I'm going to argue it, I'm not sure at this point, Judge, based on the facts, because it really is one of those things that there are some oddities to that meeting.

THE COURT: Understood. Can we bring Exhibit 920 up?

MS. SHEFF: Oh, goodness.

THE COURT: Oh, is it shut down?

MS. SHEFF: It'll just take a second.

1 THE COURT: No, no, no. They will know what I'm talking about. You don't need to bring it up. 2 MR. HARRINGTON: There's hard copies right here. 3 THE COURT: I've got them right behind me, actually. 4 5 MS. SHEFF: I'm sorry, Judge. 6 THE COURT: Please don't apologize. You've been doing a great job. 7 MR. DAVIS: Particularly given that she's almost 8 frozen, your Honor. 9 THE COURT: Almost frozen. Oh, is the courtroom cold? 10 11 Here's my question. I have it in front of me now. 12 You don't need to bring it up. 13 Remember when I asked you a few days ago about how did 14 you decide to use the invoice emails as your wire fraud? 15 Remember that? And you explained it to me, you did, and it's 16 just a sort of charging decision. So, my understanding is that 17 everything on the exhibit, if I understood the testimony, 18 everything coming after these three yellow highlighted 19 transfers was considered by the FBI witnesses as dirty money. 20 Am I right about that? 21 MR. DAVIS: That's correct. 22 THE COURT: So, that said, how did you choose the 12 23 you did to allege -- to present to the Grand Jury and have them indict as money laundering counts when there's so many? 24 there something I should view as tying them together or 25

distinguishing them?

MR. DAVIS: They had to be more than \$5,000 to satisfy the theft statute, interstate theft, and they had to be more than \$10,000 to satisfy 1957, the money laundering statute, and they had not to be 57 counts, because my colleagues would not have let me do that.

THE COURT: Sure, sure. I get it. All right. I see. You had jurisdictional or legal floors you needed to get over, and that's how you chose your counts?

MR. DAVIS: Yes. And, honestly, it would have been too many counts.

THE COURT: Who's counting, right? Okay. Is there anything you want to say about that?

MR. HARRINGTON: No, Judge.

THE COURT: Okay.

MS. LE: Your Honor, may I make a correction? It's not everything after the yellow highlighted. All of these would have been with dirty money, according to Ms. Cacace's testimony, because this all came from --

THE COURT: Oh.

MS. LE: So, the first one is from DigitalNet funds from United Way, because, if you recall, United Way started paying DigitalNet first. Then there's Robert Allen Group payments, and then we're going back to DigitalNet. So, these all trace back to, quote, dirty funds relative to Robert Allen

1 Group and DigitalNet.

THE COURT: Then, remind me what I'm to distinguish with the three highlighted transactions.

MS. LE: The three are the Robert Allen, the three transactions that are traced directly to Robert Allen Group funds versus the dirty funds that come only from United Way.

Does that make sense, your Honor? Because we have two sources of dirty funds: Robert Allen Group and United Way.

THE COURT: Oh, that much makes sense.

MS. LE: Okay.

MR. HARRINGTON: And that's not charged conduct, Judge.

THE COURT: Yeah, yeah. It's not under the statute, is the problem. It's too early. Okay.

Here's my other question: The money laundering counts describe the specified unlawful activity as the wire fraud as alleged in Counts 1 through 18, right?

MR. DAVIS: Correct.

THE COURT: Some of the money laundering counts involve money that took place -- that involve transactions that took place before Counts 1 through 18 temporally. Am I bound by the emails and invoices and the money associated with that on Counts 1 through 18, your substantive counts, and considering this money laundering?

MR. DAVIS: No.

1 THE COURT: Or is it your argument that it's the entire scheme? 2 MR. DAVIS: It's the entire scheme. 3 THE COURT: I think that's probably true. 4 I just 5 wanted to make sure I understood your position. All right. 6 Do you have anything to say about that at all? You haven't been really making those types of arguments, but if 7 that's what you're thinking, I'd like to know. 8 9 MR. HARRINGTON: I think that's going to be part of 10 our argument, is that the government should be bound by the 11 language that's specified in the indictment. 12 THE COURT: Yeah, yeah. It's a little layered, 13 because, of course, the language of the indictment is of a 14 scheme, and the scheme includes those emails and invoices but 15 isn't necessarily limited to them. That's been a point. 16 have been talking about this since the final pretrial. 17 MR. AYER: If I could add, your Honor, in the trial 18 brief I think, and I don't know if I made it as explicit as I 19 intended, but we do believe that all the counts beyond rise and 20 fall with Counts 1 through 18 of the indictment, so they do 21 need to be related to those. I'm sorry. 22 THE COURT: All the counts beyond what? 23 MR. AYER: All the counts beyond Counts 1 through 18,

so the money laundering, transportation of stolen money that in

the indictment are tied to the language here being --

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1 THE COURT: The money in those invoices, 1 through 18. MR. AYER: Correct. It says wire fraud as alleged in 2 Counts 1 through 18 we think do have to be proven to be related 3 to 1 through 18 and rise and fall with those specific counts. 4 5 MR. HARRINGTON: If I recall correctly, isn't the 6 language money derived from? MR. AYER: Yes, derived from specified unlawful 7 activity, mainly wire fraud as alleged in Counts 1 through 18. 8 So, we feel like --9 10 THE COURT: It's a little bit of a dilemma, because 11 you can say "As alleged in 1 through 18" means they're 12 substantive counts and it's sort of limited in that way. 13 of course, as Mr. Davis has been pointing out, what they allege 14 is that those are just wire communications pursuant to a larger 15 scheme, and I'll have to make up my mind. 16 MS. LE: And, your Honor, just to be clear, Mr. Ayer is referring to the trial brief defense filed this morning? 17 18 MR. AYER: No. The one --19 MS. LE: Or the first one? 20 MR. AYER: The first one. 21 MS. LE: Okay. THE COURT: That makes a difference? 22 23 MS. LE: I just wanted to know which trial brief so 24 that we can refer back to that material, because there was a 25 trial brief filed today.

MR. AYER: The one this morning was a supplement with additional case law --THE COURT: Regarding fraud. MR. AYER: -- relating to the wire fraud itself. THE COURT: Honestly, when I came in I picked that up and I planned to read it on the bench today, but the evidence was detailed, and I had to focus on it, so I hadn't read your brief yet, but I'll read it. MR. AYER: That's fine. THE COURT: Anything else for the Court? MR. DAVIS: No, thank you, your Honor. THE COURT: Let's go off the record. (WHEREUPON, the proceedings adjourned at 5:00 p.m.)

I, Brenda K. Hancock, RMR, CRR and Official Court

Reporter of the United States District Court, do hereby certify

that the foregoing transcript constitutes, to the best of my

skill and ability, a true and accurate transcription of my

stenotype notes taken in the matter of United States v. Imran

Date: ___4/12/20

Alrai, 1:18-r-00192-JL.

/s/ Brenda K. Hancock
Brenda K. Hancock, RMR, CRR
Official Court Reporter